

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>DAVID FITZGERALD WATERS,</b>	)	
<b>Petitioner,</b>	)	<b>Civil Action No. 7:11cv00558</b>
	)	
<b>v.</b>	)	<b><u>FINAL ORDER</u></b>
	)	
<b>CHRISTOPHER ZYCH,</b>	)	<b>By: Norman K. Moon</b>
<b>Respondent.</b>	)	<b>United States District Judge</b>

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Waters' petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is **DISMISSED without prejudice** and this action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to petitioner.

**ENTER:** This 30<sup>th</sup> day of November, 2011.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE